

**SUPREME COURT MINUTES
MONDAY, AUGUST 9, 2004
SAN FRANCISCO, CALIFORNIA**

S109734

B152731 Second Appellate District,
Division Seven

PEOPLE v. GRIFFIN (BRYANT D.)

Opinion filed: Judgment reversed and remanded.

Majority Opinion by Baxter, J.

--- joined by George, C.J., Kennard, Werdegarr,
Chin, Brown & Moreno, JJ.

S111662

F039071 Fifth Appellate District

PEOPLE v. MONTTOYA (RICARDO)

Opinion filed: Judgment affirmed in full

Opinion by Kennard, J.

--- joined by George, C.J., Baxter, Chin,
Brown, and Moreno, JJ.

Concurring Opinion by Werdegarr, J.

Concurring Opinion by Chin, J.

--- joined by Baxter, J.

S117651

B150342 Second Appellate District,
Division Three

PEOPLE v. HERNANDEZ (JOSE PABLO)

Opinion filed: Judgment affirmed in full

Opinion by Chin, J.

--- joined by George, C.J., Kennard, Baxter,
Werdegarr, Brown, Moreno, JJ.

S126780

C047231 Third Appellate District

CALIFORNIANS FOR AN OPEN PRIMARY v.
SHELLEY, AS SECRETARY OF STATE, ETC.

(LEGISLATURE OF THE STATE OF CALIFORNIA)
Orders filed (2)

(1) Petitions for review granted

At this preliminary point in the proceedings before this court, we neither endorse nor reject the Court of Appeal's view of the proper interpretation of the "separate vote" provision of article XVIII, section 1, of the California Constitution, or that court's determination regarding the appropriate remedy for a violation of that constitutional provision. Nonetheless, in light of (1) the novelty and difficulty of the constitutional issues presented and the importance of ensuring that our decision is rendered after full and adequate briefing, oral argument and deliberation, (2) the imminence of

the deadline for submitting the Voter Information Guide for the November 2004 election to the State Printer, and (3) the concerns expressed by the Secretary of State in a letter to this court filed on his behalf by the Attorney General on August 6, 2004, we direct the Secretary of State to place Senate Constitutional Amendment No. 18 of the 2003-04 Regular Session on the ballot for the November 2004 election as Propositions 60 and 60A, in the manner directed by the Court of Appeal. Accordingly, the request for a stay of the Court of Appeal's placement order, which request was included in the petition for review of Californians for an Open Primary and Nick Tobey, filed August 3, 2004, is denied.

Votes: George, C.J., Kennard, Baxter, Chin and Moreno, JJ.

- (2) Like the majority, we neither endorse nor reject the Court of Appeal's view of the proper interpretation of the "separate vote" provision of article XVIII, section 1, of the California Constitution, or that court's determination regarding the appropriate remedy for a violation of that constitutional provision. We also concur in the majority's decision to grant the petitions for review. We would not, however, direct the Secretary of State to place Senate Constitutional Amendment No. 18 of the 2003-04 Regular Session on the ballot for the November 2004 election as Propositions 60 and 60A, in the manner directed by the Court of Appeal.

Votes: Werdegar and Brown, JJ.

S125598

B165151 Second Appellate District,
Division Eight

PEOPLE v. URIBE

Time extended to grant or deny review
to September 15, 2004

S125648

H022727 Sixth Appellate District

PEOPLE v. DOMINGUEZ

Time extended to grant or deny review
to September 16, 2004

S050082

PEOPLE v. GEIER (CHRISTOPHER A.)

Extension of time granted

to October 5, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Barry Helft's representation that he anticipates filing that document by 11/5/2004.

S058025

PEOPLE v. FOSTER (RICHARD D.)

Extension of time granted

to October 8, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 65 additional days will be granted. Extension is granted based upon counsel William D. Farber's representation that he anticipates filing that brief by 12/13/2004.

S065233

PEOPLE v. SMITH (FLOYD)

Extension of time granted

to October 4, 2004 to file appellant's opening brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing that brief by 3/2005.

S122545

OLIVER (ANTHONY) ON H.C.

Extension of time granted

to September 10, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Robert M. Meyers's representation that he anticipates filing that document by 10/12/2004.

S123149

CLEVELAND ON H.C.
Extension of time granted

to September 8, 2004 to file petitioner's reply to informal response to the petition for writ of habeas corpus.

S124494

B162235 Second Appellate District,
Division Seven

DORE v. ARNOLD WORLDWIDE, INC.
Extension of time granted

Respondent's opening brief on the merits is extended to and including September 20, 2004. At that time, the court will entertain a further application for extension of time, if necessary, for good cause shown.

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE
COMMITTEE OF BAR EXAMINERS OF THE
STATE BAR OF CALIFORNIA FOR ADMISSION
OF ATTORNEYS
(2 Orders)

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:
(LIST OF NAMES ATTACHED TO ORIGINAL ORDERS)